

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

NORTH AMERICAN CAPACITY
INSURANCE COMPANY,

No. C 03-5521 WDB

Plaintiff,

ORDER DISMISSING COMPLAINT

v.

TURNER CONSTRUCTION
COMPANY, et al.,

Defendants.

At this juncture, plaintiff has voluntarily dismissed its claims against all defendants except James E. Roberts-Obayashi Corporation.

Pursuant to the Court's Order re Plaintiff's Motion for Summary Judgment, filed April 5, 2006, and plaintiff's, letter filed June 21, 2006, the Court ORDERS that plaintiff's complaint against defendant Roberts-Obayashi is DISMISSED with prejudice.

This concludes this litigation and any pending motions are terminated.
IT IS SO ORDERED.

Dated: July 14, 2006

/s/ Wayne D. Brazil
WAYNE D. BRAZIL
United States Magistrate Judge

Copies to: Parties, WDB, stats.